

COMMITTEE ON LEGISLATIVE RESEARCH
OVERSIGHT DIVISION

FISCAL NOTE

L.R. No.: 2605-01
Bill No.: HB 1250
Subject: Firearms and Fireworks; Crimes and Punishment
Type: Original
Date: March 30, 2015

Bill Summary: This proposal allows any person to carry a concealed firearm anywhere that isn't expressly prohibited by law.

FISCAL SUMMARY

ESTIMATED NET EFFECT ON GENERAL REVENUE FUND			
FUND AFFECTED	FY 2016	FY 2017	FY 2018
Total Estimated Net Effect on General Revenue	\$0	\$0	\$0

ESTIMATED NET EFFECT ON OTHER STATE FUNDS			
FUND AFFECTED	FY 2016	FY 2017	FY 2018
Criminal Records	(\$584,976)	(\$584,976)	(\$584,976)
Total Estimated Net Effect on <u>Other</u> State Funds	(\$584,976)	(\$584,976)	(\$584,976)

Numbers within parentheses: () indicate costs or losses.

This fiscal note contains 5 pages.

ESTIMATED NET EFFECT ON FEDERAL FUNDS			
FUND AFFECTED	FY 2016	FY 2017	FY 2018
Total Estimated Net Effect on <u>All</u> Federal Funds	\$0	\$0	\$0

ESTIMATED NET EFFECT ON FULL TIME EQUIVALENT (FTE)			
FUND AFFECTED	FY 2016	FY 2017	FY 2018
Total Estimated Net Effect on FTE	0	0	0

☒ Estimated Net Effect (expenditures or reduced revenues) expected to exceed \$100,000 in any of the three fiscal years after implementation of the act.

ESTIMATED NET EFFECT ON LOCAL FUNDS			
FUND AFFECTED	FY 2016	FY 2017	FY 2018
Local Government	(Unknown)	(Unknown)	(Unknown)

FISCAL ANALYSIS

ASSUMPTION

Officials from the **Office of the State Courts Administrator**, the **Office of the State Public Defender**, and the **Office of Prosecution Services** each assume the proposal would not fiscally impact their respective agencies.

Officials from the **Department of Corrections (DOC)** state the bill will remove section 1 of 571.030 RSMo. which could result in fewer convictions for unlawful use of a weapon, a class D felony. The DOC estimates that there will be one fewer prison admission and two probation openings. The prison commitment will serve one year in prison and three years on parole. The probation offenders will serve three years on supervision. Offenders will be eligible for earned credit compliance.

The FY14 average cost of supervision is \$6.72 per offender per day or an annual cost of \$2,453 per offender. The DOC cost of incarceration is \$16.725 per day or an annual cost of \$6,105 per offender.

In summary, the DOC assumes the legislation would result in long term cost avoidance of approximately \$9,176 in FY 2016, \$18,737 in FY 2017, and \$24,216 in FY 2018.

Oversight assumes this minimal amount of savings will not impact DOC's appropriation levels and will not reflect it in the fiscal note.

Officials from the **Department of Public Safety - Missouri Highway Patrol (MHP)** state over the past five years, 182,808 state and federal fingerprint based criminal background checks have been processed for CCW permits, which is an average of 36,561 requests per year (182,808 / 5). The charge for each background check processed is \$28.75. Fourteen dollars for the state fingerprint check and \$14.75 for the federal check (\$14 + \$14.75 = \$28.75). Of this amount, the state retains the \$14 fee and \$2 of the federal charge of \$14.75 for a pass-thru fee. Therefore, the total projected annual fiscal impact to the Criminal Justice Information Services (CJIS) Division is a loss of \$584,976 (\$16 x 36,561).

Officials from the **Boone County Sheriff's Department (BCSD)** state this bill would effectively eliminate the need for citizens to obtain concealed carry permits. As a result, the BCSD would experience losses of approximately \$100,000 in annual revenues (\$98,259 in FY 2013 and \$102,508 in FY 2014) from fees associated with and collected for concealed carry permits.

ASSUMPTION (continued)

Officials from the **Cole County Sheriff's Department** assume the proposal would have minimal impact from training.

Officials from Buchanan County, Clark County, Jackson County, Platte County, and St. Louis County did not respond to our request for fiscal impact.

Oversight does not have information regarding the number of Missourians that have CCW permits. According to §571.101, a sheriff can charge a fee of up to \$100 for the initial application, and up to \$50 for all subsequent renewals. The CCW permit period is for five years. Oversight also does not know what percentage of the current CCW permit holders will opt to continue to renew their permits under the CCW statutes after passage of this bill. Therefore, Oversight will reflect an unknown loss of permit fee revenue to local sheriffs.

<u>FISCAL IMPACT - State Government</u>	FY 2016 (10 Mo.)	FY 2017	FY 2018
CRIMINAL RECORDS FUND			
<u>Loss</u> - certain background checks are no longer needed CCW permit is no longer necessary	<u>(\$584,976)</u>	<u>(\$584,976)</u>	<u>(\$584,976)</u>
ESTIMATED NET EFFECT TO THE CRIMINAL RECORDS FUND	<u>(\$584,976)</u>	<u>(\$584,976)</u>	<u>(\$584,976)</u>
 <u>FISCAL IMPACT - Local Government</u>	 FY 2016 (10 Mo.)	 FY 2017	 FY 2018
COUNTY SHERIFFS			
<u>Loss</u> - fees from CCW permits, if CCW permit is no longer required	<u>(Unknown)</u>	<u>(Unknown)</u>	<u>(Unknown)</u>
ESTIMATED NET EFFECT TO COUNTY SHERIFFS	<u>(Unknown)</u>	<u>(Unknown)</u>	<u>(Unknown)</u>

FISCAL IMPACT - Small Business

No direct fiscal impact to small businesses would be expected as a result of this proposal.

FISCAL DESCRIPTION

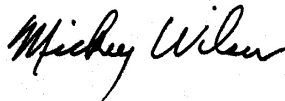
Currently, an individual with a permit to carry a concealed weapon is exempt from the general statute banning the carrying of concealed weapons in public areas. This bill repeals this general prohibition on carrying concealed weapons such as firearms and knives under Section 571.030, RSMo.

The bill does not repeal specific statutes regulating the concealed carrying of firearms in specified locations and does not grant the same rights to carry firearms concealed as the permit system which imposes only minimal penalties for mistakes and allows reciprocity for carrying weapons in other states.

This legislation is not federally mandated, would not duplicate any other program and would not require additional capital improvements or rental space.

SOURCES OF INFORMATION

Department of Public Safety
Office of Prosecution Services
Office of the State Courts Administrator
Office of the State Public Defender
Department of Corrections
Boone County Sheriff's Department



Mickey Wilson, CPA
Director
March 30, 2015

Ross Strobe
Assistant Director
March 30, 2015